



U.S. Department of Justice

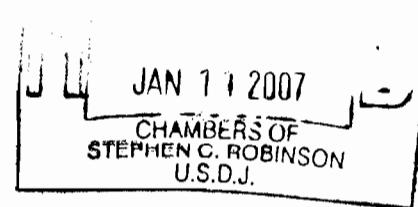
United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

January 10, 2008

By Federal Express

Hon. Stephen C. Robinson
United States District Judge
United States District Court
300 Quarropas Street, Room 633
White Plains, New York 10601



Re: United States v. Peper, et al., 07 Civ. 9835 (SCR)

Dear Judge Robinson:

I write respectfully to request that the Court adjourn the current January 14, 2008 deadline for the submission of a joint scheduling order in this matter. Counsel for defendants William J. Peper, III, and Nancy Peper-Armano filed a notice of appearance in this matter yesterday, and these defendants have requested additional time in which to answer the complaint. In order to allow the parties to take into account the answer of these defendants in proposing a discovery schedule, the Government respectfully requests that the deadline for submission of a joint pretrial order be set for a date two weeks after service of their answer.

Counsel for defendants Peper and Peper-Armano consents to this request. I have requested the consent of counsel for the other defendant that has appeared, Manufacturers & Traders Trust Company, but have not yet received a response. This is the second request for an adjournment of the deadline for submission of a joint pretrial order, the first request having been granted. I thank the Court for its consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:

ROBERT WILLIAM YALEN
Assistant United States Attorney
Tel.: (212) 637-2722
Fax: (212) 637-2687

APPLICATION GRANTED

HON. STEPHEN C. ROBINSON 1/22/08

Letter to Hon. Stephen C. Robinson
January 10, 2008
Page 2 of 2

cc (by Federal Express): Louis E. Cherico, Esq.
Cherico, Cherico & Associates
308 Battle Avenue
White Plains, NY 10606
Counsel for Defendants
William J. Peper, III and
Nancy Peper-Armano

Robert Schager, Esq.
Hodgson Ross LLP
60 East 42nd Street
New York, NY 10165
Counsel for Defendant
Manufacturers & Traders Trust Co.

ABL Properties, Inc.
2 Bardonia Mall, Route 304
Bardonia, NY 10954

Bank of America (f/k/a Fleet National Bank)
5701 Horatio St.
Utica, NY 13502

New York State Tax Commission
Building 9, W.A. Harriman Campus
Albany, NY 12227